

Remarks

No claims have been amended or cancelled by this response.

1. Rejection under 35 U.S.C. 112, first paragraph

Claims 10, 11, 13, 16, 17, 19-22 and 29-35 are rejected for the reasons detailed on pages 2-3 of the Office Action. Specifically, the Examiner indicates that as originally claimed, the particular composition of the biosensor makes no difference...for the purpose of inspection of the biosensor in the claimed biosensor-container combination.

Applicant respectfully disagrees with this interpretation of the claimed invention by the Examiner and point, for example, to paragraph [0012] of the specification, where it is indicated that a sensor having no lightfastness can also be stored in a container when only the bottom of the container is made transparent or semi-transparent. Moreover, any part of the container may be transparent or semi-transparent when a sensor having lightfastness is stored in the container, as is apparent from the statements in paragraph [0014].

Further, in paragraph [0027] of the specification as filed, the following statement is made: a sensor to be stored preferably has lightfastness when a transparent or semi-transparent part is also provided in a portion other than the bottom of the container, and the use of a lightfast transition metal complex as a mediator can provide a sensor with the resistance to light. In Example 1, it is verified that the effect of the present invention is clear, particularly when a sensor containing a ruthenium complex is stored in a container.

Thus, the Examiner's indication that any sensor may be stored in a container irrespective of the presence or absence of lightfastness ignores passages in the specification such as the above cited paragraph [0027] and the examples. Accordingly, Applicant respectfully requests that this rejection be withdrawn.

2. Rejection under 35 U.S.C. 103(a)

As detailed on pages 3-elected of Applicant's claims are rejected under 35 U.S.C. 103(a) as obvious over JP 2001141686 in view of the Beaman patent, optionally further in view of any of several secondary references such as Morris, Feldman, Karinka, Yamamoto, Swain, Blackburn and Cozzette.

Applicant respectfully submits that none of the art cited by the Examiner teaches or suggests all of the following features of pending claim 10:

a sensor-container combination comprising

a container including a container body and a lid; and

a plurality of sensors stored in the container,

wherein

the container body includes a bottom part, and the whole part of the container is one of transparent and semi-transparent,

the sensors include an oxidation-reduction enzyme, a mediator that mediates transfer of electrons caused by oxidation or reduction, and a detection means that detects a reaction of the oxidation or reduction, and

the mediator is a lightfast transitional metal complex, the lightfast transitional metal complex is $[\text{Ru}(\text{NH}_3)_6]$.

Accordingly, Applicant submits that the art of record, either alone or in combination, is unable to render Applicant's claimed invention obvious. Applicant is disappointed that the Examiner indicates on page 10 of the Office Action that no allowable subject matter is envisioned and that Applicant is positing inconsistent arguments. Applicant looks forward to clarifying key aspects of the feature in a possible telephonic interview.

The Commissioner is hereby authorized by this paper to charge any additional fees which are required by this filing to Deposit Account No. 50-0310.

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